

The State of Texas



Service of Process
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Austin, Texas 78711-2079

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Ruth R. Hughs
Secretary of State

May 24, 2021

Shergill Truck Lines Inc dba STL
9379 Willow Pond Circle
Elk Grove, CA 95624

2021-328292-1

Include reference number
in all correspondence

RE: Jerome Parish VS Autar Singh et al
County Court at Law #2, Dallas County, Texas
Cause No. CC2100788B

Dear Sir/Madam,

Pursuant to the Laws of Texas, we forward herewith by CERTIFIED MAIL, return receipt requested, a copy of the process received by the Secretary of State of the State of Texas on May 12, 2021.

CERTIFIED MAIL #71901046470101301885

Refer correspondence to:

Lancaster Smith Jr
McGilberry & Shirer LLP
5720 LBJ Freeway
Suite 575 LB 5
Dallas, TX 75240

Sincerely,

Service of Process
Government Filings
512-463-1662
GF/mr
Enclosure

**THE STATE OF TEXAS
CITATION**CAUSE NO. CC-21-00788-B
COUNTY COURT AT LAW NO. 2
Dallas County, Texas

TO:

SHERGILL TRUCK LINES, INC. D/B/A STL
9379 WILLOW POND CIRLE
ELK GROVE CA 95624

"You have been sued. You may employ an attorney. If you or your Attorney do not file a WRITTEN ANSWER with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and PLAINTIFF'S AMENDED PETITION, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org." Your answer should be addressed to the clerk of County Court at Law No. 2 of Dallas County, Texas at the Court House of said County, 600 Commerce Street, Suite 101, Dallas, Texas 75202.

JEROME PARISH
Plaintiff(s)

VS.

AUTAR SINGH; SHERGILL TRUCK LINES, INC. D/B/A STL
Defendant(s)

filed in said Court on the 9th day of March, 2021, a copy of which accompanies this citation.

WITNESS: JOHN F. WARREN, Clerk of the County Courts of Dallas County, Texas. GIVEN UNDER MY
HAND AND SEAL OF OFFICE, at Dallas, Texas, and issued this 19th day of March, 2021 A.D.

JOHN F. WARREN, Dallas County Clerk

By Sharon Jennings, Deputy
Sharon Jennings

RECEIVED

21 MAY 12 PM 3:18

SECRETARY OF STATE
AUSTIN, TEXAS**ATTORNEY****CITATION
PLAINTIFF'S AMENDED PETITION**

CC-21-00788-B

IN THE COUNTY COURT OF DALLAS
County Court at Law No. 2
Dallas County, TexasJEROME PARISH, *Plaintiff(s)*

VS.

AUTAR SINGH; SHERGILL TRUCK
LINES, INC. D/B/A STL, *Defendant(s)***SERVE:**SHERGILL TRUCK LINES, INC. D/B/A
STL
9379 WILLOW POND CIRLE
ELK GROVE CA 95624ISSUED THIS
19TH DAY OF MARCH, 2021JOHN F. WARREN, COUNTY CLERK
BY: SHARON JENNINGS, DEPUTY

Attorney for Plaintiff

LANCASTER SMITH, Jr.
MCGILBERRY & SHIRER LLP
5720 LBJ FREEWAY
SUITE 575 LB 5
DALLAS TX 75240
972-392-1225NO OFFICER'S FEES HAVE BEEN
COLLECTED BY DALLAS COUNTY CLERK

328292

OFFICER'S RETURN

CC-21-00788-B County Court at Law No. 2

JEROME PARISH vs. AVTAR SINGH, SHERGILL TRUCK LINES, INC. D/B/A STL

ADDRESS FOR SERVICE:
9379 WILLOW POND CIRCLE
ELK GROVE CA 95624

Fees:
Came to hand on the _____ day of _____, 20____, at _____ o'clock _____m., and executed in _____ County, Texas by delivering to SHERGILL TRUCK LINES, INC. D/B/A STL in person, a true copy of this Citation together with the accompanying copy of the PLAINTIFF'S AMENDED PETITION with the date and service at the following times and places to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
------	-----------	--

_____	_____	_____
_____	_____	_____
_____	_____	_____

And not executed as to the defendant(s), _____
The diligence used in finding said defendant(s) being: _____
and the cause or failure to execute this process is: _____
and the information received as to the whereabouts of said defendant(s) being: _____

Serving Petition and Copy \$ _____
Total \$ _____
_____, Officer
_____, County, Texas
By: _____, Deputy
_____, Affiant

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 51629510

Status as of 3/19/2021 9:42 AM CST

Case Contacts

Name	Bar Number	Email	Timestamp Submitted	Status
Lancaster Smith		lank@mcgilberry.com	3/19/2021 9:41:45 AM	SENT
Sarah MHilton		sarah@mcgilberry.com	3/19/2021 9:41:45 AM	SENT
Angelia Anderson		Angelia@mcgilberry.com	3/19/2021 9:41:45 AM	SENT
Ashlee Yates		Ashlee@mcgilberry.com	3/19/2021 9:41:45 AM	SENT
JAY LEE		Jay@mcgilberry.com	3/19/2021 9:41:45 AM	SENT

CAUSE NO. CC-21-00788-B

JEROME PARISH	§	IN THE COUNTY COURT
Plaintiff,	§	
	§	
v.	§	AT LAW NO. 2
	§	
AUTAR SINGH AND SHERGILL	§	
TRUCK LINES, INC., D/B/A STL	§	
Defendants.	§	DALLAS COUNTY, TEXAS

PLAINTIFF'S AMENDED PETITION

PLAINTIFF Jerome Parish files this Amended Petition and states the following:

I. DISCOVERY CONTROL PLAN

As required by Tex. R. Civ. P. 47, Plaintiff states that the amount sought does not exceed \$250,000.00 (TRCP 47(c)(1)). Plaintiff affirmatively states he will not seek a recovery in excess of \$75,00.00. As such, discovery will be governed by Tex. R. Civ. P. 190.2, i.e., Level 1.

II. PARTIES

Plaintiff Jerome Parish is an individual residing in Dallas County, Texas.

Defendant Autar Singh is a resident of Arizona. Defendant Autar Singh is a non-resident of the State of Texas. Pursuant to the Tex. Civ. Prac. & Rem. Code § 17.0562, the Chairman of the Texas Transportation Commission is appointed as Defendant's agent to receive service of process. Service of the Chairman will be at 125 E. 11th Street, Austin, Texas 78701-2483, who will then forward the Petition and citation to the Defendant Driver who resides at 16709 W. Moreland St., Goodyear, Arizona 85338.

Defendant Shergill Truck-Lines, Inc. d/b/a STL may be served with process at 9379 Willow Pond Circle. Elk Grove, California 95624. Hereafter referred to as STL.

Service is requested at this time.

III. VENUE AND JURISDICTION

Venue is proper in this Court because the cause of action occurred in this county. Furthermore, this Court has jurisdiction in that the damages claimed are within the jurisdictional limits of this Court.

IV. FACTS

The subject incident occurred on November 18, 2019 at about 10:00 a.m. parking lot of Love's Travel Stop in Hutchins, Dallas County, Texas. The Plaintiff was parked at the Love's Truck Stop Parking Lot. Plaintiff was standing up in the sleeper in the back of the truck. Suddenly and without warning, Autar Singh, driving an STL 18 wheeler international tractor-trailer, crashed into the Plaintiff's 18 wheeler Freightliner legally parked. Police were called to the scene as Autar Singh refused to exchange information. While the police were present, Autar Singh hit Plaintiff's Freightliner again. The sole cause of both collisions was Autar Singh.

V. CAUSES OF ACTION

NEGLIGENCE: Defendant Autar Singh was **negligent** as follows:

- In failing to keep a proper lookout.
- In failing to timely and properly apply the brakes.
- In failing to take proper evasive action to avoid the collision.
- In failing to control speed.
- In failing to yield the right of way.

Defendant was also **negligent per se**:

In failing to maintain an assured clear distance between Defendant's vehicle and Plaintiff's vehicle, in violation of Tex. Trans. Code §545.062(a).

RESPONDEAT SUPERIOR: At the time of the incident, Defendant Autar Singh

was in the scope and course of his employment with and furthering the business of Defendant STL. Therefore, based on the doctrine of RESPONDEAT SUPERIOR, Defendant STL is liable for the negligence of its employee, Defendant Autar Singh.

NEGLIGENT ENTRUSTMENT: Defendant STL was negligent in providing his vehicle to an unsafe driver.

The foregoing acts or omissions singularly or in combination were negligent, and proximately caused the occurrence made the basis of this action and the damages claimed below.

VI. DAMAGES

Plaintiff Jerome Parish seeks damages for the following:

- A. MEDICAL EXPENSES: Past and Future**
- B. PHYSICAL PAIN AND SUFFERING: Past and Future**
- C. MENTAL ANGUISH: Past and Future**
- D. PHYSICAL IMPAIRMENT/DISABILITY: Past and Future**
- E. LOSS OF WAGE-EARNING CAPACITY: Past and Future**

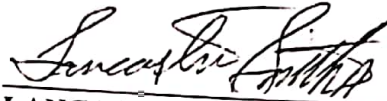
VII. RELIEF SOUGHT

Plaintiff requests that Defendants Autar Singh and Shergill Truck Lanes, Inc., d/b/a STL, jointly and severally be cited to appear and answer, and that this case be tried after which Plaintiff recovers:

- (1) Judgment against Defendants for monetary relief of \$75,000 or less, excluding interest, statutory or punitive damages and penalties, and attorney's fees and costs;
- (2) Pre-judgment and post-judgment interest at the maximum amount allowed by law;
- (3) Costs of suit; and

(4) Such other and further relief to which Plaintiff may be justly entitled.

Respectfully submitted,



LANCASTER SMITH, JR.
State Bar No. 18760100

MCGILBERRY & SHIRER, L.L.P.
5720 LBJ Freeway
Suite 575, LB 5
Dallas, Texas 75240
P: (972) 392-1225
F: (972) 392-1260 Facsimile
E: lank@mcgilberry.com

ATTORNEYS FOR PLAINTIFF